

**MAIL STOP AF**

**IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE**

IN RE APPLICATION OF: : MURGATROYD Colin  
SERIAL NO: : 10/768787  
FILED: : January 30, 2004  
FOR: : PERFORMANCE MONITROING  
IN A COMMUNUICATIONS  
NETWORK  
EXAMINER: : Elallam, Ahmed  
GROUP ART UNIT: : 2616  
CONFIRMATION NO. : 7138  
ATTORNEY DOCKET NO. : 920537-95496

**RESPONSE TO FINAL OFFICE ACTION DATED JULY 8, 2008**

Honorable Director of  
Patents and Trademarks  
PO Box 1450,  
Alexandria VA 22313-1450

In response to the final Office Action mailed July 8, 2008, the applicant submits the following remarks: